



State of New York County of Broome Government Offices

Department of Planning and Economic Development

Jason T. Garnar, County Executive · Beth Lucas, Director

September 27, 2021

PB Chair Jerome Ford
Town of Dickinson
531 Old Front Street
Binghamton, NY 13905

RE: Review Pursuant to Section 239-l and -m of the General Municipal Law

Dear Chair Ford:

The Broome County Department of Planning and Economic Development has received your request for review of the below captioned matter:

Applicant: Citizens Energy / Citizens Dickinson Solar
Project: Site Plan Review: Solar farm at 154 and 166 Glenwood and Meadowwood Subdivision lots
Municipality: Town of Dickinson
Tax Map No: 144.09-1-20 and 143.52-2-37 plus lots in Meadowwood Subdivision
BC Case: 239-2021-122

The Planning Department has reviewed the above-cited case and has not identified any significant countywide or inter-community impacts associated with the proposed project provided the proposed project complies with the Broome County DPW requirements (see DPW comments) and with all other applicable regulations and industry standards. However, the site plan is marked as preliminary. We request to review and comment on the final site plan and final documents to the extent necessary. In addition, we have the following comments on the preliminary plan.

- The project should be reviewed for consistency with the R-M District regulations. For example, the site plan shows side setbacks of 10 feet. The R-M District regulations require the total of both sides to be 20 percent of the lot width which equates to approximately 72 feet of the lot width of 363 feet.
- The proposed lot coverage should be reviewed for consistency with the R-M District maximum allowed lot coverage of 30 percent. Looking at the site plan, these solar facilities appear to occupy more than 6.95 percent of the project site noted in the dimensional table and possibly more than the maximum allowed lot coverage of 30 percent. This should be clarified.
- The project should be reviewed for consistency with the Town solar regulations, noise regulations, and all other applicable regulations, and the required documents should be provided, including the final SWPPP; complete visual impact study, including before and after views, changes in views, any potential impacts to residences and the cemetery, and any need for mitigation; landscaping plan; FAA certification of no interference with air traffic (see also BC Aviation comments); topographic and geomorphologic study certification; operation and maintenance plan; and decommissioning and abandonment plan which should address the need for any tree restoration.
- The SEQR should address the following:
 - The SEQR analysis should consider and document any potential impacts related to disturbance of the site's steep slopes. Disturbance of steep slopes can result in property damage, public safety hazards and water quality issues, mudslides, or localized flooding. In addition, the NYSERDA New



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York Solar Guidebook for Local Governments notes that important design considerations for siting a solar array include slope (avoidance of steep slopes).

- The SEQR description should reference the interconnection agreement and any siting considerations.
- The SEQR should reference the Broome County Office of Emergency Services. The project should include the fire safety and emergency response plan developed in coordination with the appropriate responders and ensure proper training, staffing, and equipment.
- The SEQR should reflect the final site plan and all required final documents; reference the required site plan approval and Unified Solar Permit (USP); document no impact to threatened and endangered species habitat; confirm that the panels are classified as nonhazardous; include all land uses located on, adjoining, and near the project site, including the residences, cemetery, golf course, apartments, Broome Development Center, and Tioga Learning Properties; note that the Town of Dickinson is located within in the NYS Susquehanna Heritage Area; provide air emissions response; confirm adequacy of current utility connections; confirm compliance with the Town noise regulations; document Broome Development Center and Tioga Learning Properties and any other facilities serving children, the elderly, and persons with disabilities located within 1,500 feet of the project site; and provide SHPO determination.
- The final site plan should show the following:
 - Final drainage/stormwater features, utility installation/connection, and driveway openings designed in accordance with NYSDOT guidelines (see DPW comments)
 - Final solar facility features, including final panels and fencing
 - Landscaping, screening, and buffering plan, including any tree maintenance area, permanent tree buffers, and permanent open space area
 - Any permanent dumpster/enclosure
 - Consistency with all applicable regulations

The case file was routed to the New York State Department of Transportation (NYSDOT), Broome County Department of Public Works (DPW), Broome County Health Department (BCHD), Broome County Office of Emergency Services, and Broome County Aviation. Enclosed are comments from DPW and BC Aviation that need to be addressed. NYSDOT, BCHD, and OES had no comments.

Please submit a copy of your decision in this case within seven (7) days of taking action so it can be included in the case record.

Thank you for your cooperation.

Sincerely,

Beth Lucas
Director

BL/lmz

cc: Stephen Rafferty, Town of Dickinson
BC file copy

Zier, Lora M.

From: Zier, Lora M.
Sent: Monday, September 13, 2021 10:58 AM
To: Stephen Rafferty
Subject: DPW Comments FW: 239-2021-122 - Town of Dickinson Solar Farm
Attachments: 239-2021-122 Review 1.pdf

Steve:

Please see the attached DPW comments and email below from Brenda Gowe for this project.

Do you know the status of the SWPPP?

Sincerely,
Lora Zier
Senior Planner
Broome County Department of
Planning and Economic Development
Telephone: (607) 778-2114
Lora.Zier@BroomeCounty.US

From: Gowe, Brenda L. <Brenda.Gowe@BroomeCounty.US>
Sent: Thursday, September 2, 2021 12:57 PM
To: Lucas, Beth A. <Beth.Lucas@BroomeCounty.US>; Zier, Lora M. <Lora.Zier@BroomeCounty.US>
Cc: Boulton, Leslie G. <Leslie.Boulton@BroomeCounty.US>; Brown, Susan J. <Sue.Brown@BroomeCounty.US>; Quail, Floyd M. <Floyd.Quail@BroomeCounty.US>; Lavrinovich, Eduard V. <Eduard.Lavrinovich@BroomeCounty.US>
Subject: 239-2021-122 - Town of Dickinson Solar Farm

Beth/Lora,

Review attached.

Thanks,
Brenda

Brenda L. Gowe, Engineer II
Broome County Department of Public Works, Engineering Division
60 Hawley Street, Binghamton NY, 13902
o 607-778-2470, c 607-727-5327
brenda.gowe@broomecounty.us



State of New York County of Broome Government Offices

Department of Public Works

Jason T. Garnar, County Executive · Leslie G. Boulton, P.E., Public Works Commissioner

To: Lora Zier – Broome County Planning

From: Brenda Gowe - Engineer II

Date: September 2, 2021

Subject: DPW Engineering Review Comments
BC Case No: 239-2020-122 – Town of Dickinson
Site Plan Review – 154 and 166 Glenwood and Meadowwood Subdivision

The above referenced “239” has been reviewed by the Department of Public Works - Engineering Division, and the following is pertinent: This application includes a request for Site Plan Review for a solar farm at 154 and 166 Glenwood and Meadowwood Subdivision.

The applicant shall coordinate with the Broome County Highway Department and Broome County Engineering Division for any proposed utility connections related to the storm sewer on Glenwood Road. A Highway Work Permit will be required for any work done in the Broome County Right of Way, including but not limited to drainage/stormwater features, utility installation/connection and driveway openings. All driveways should be constructed in accordance with New York State Department of Transportation Driveway Design Guidelines.

Based on the information submitted, it appears that the Stormwater Pollution Prevention Plan (SWPPP) is incomplete. Please provide the Final SWPPP, including the Notice of Intent, once complete.

There are no additional apparent impacts to Broome County Infrastructure, therefore Broome County Department of Public Works, Engineering Division has no further comments related to the project located at TM 144.09-1-20 and 143.52-2-37 plus lots in Meadowwood Subdivision.

BLG: blg

cc: Leslie Boulton, P.E. – Broome County Commissioner of Public Works
Sue Brown – Broome County Superintendent of Highways
Mark Quail – Broome County Highway Department
Beth Lucas – Broome County Director of Planning
Eduard Lavrinovich – Broome County Assistant Engineer

Zier, Lora M.

From: LoPiccolo, Peter B.
Sent: Tuesday, August 31, 2021 12:55 PM
To: Zier, Lora M.
Subject: RE: 2 OF 4 239-2021-122 Dickinson Solar Farm Glenwood and M Subdivision FW: Re: Resending Dickinson Solar Project Submissions

We will have **no issues or comments. Sorry for miscommunication.**

- Peter LoPiccolo

From: Zier, Lora M. <Lora.Zier@BroomeCounty.US>
Sent: Tuesday, August 31, 2021 12:44 PM
To: LoPiccolo, Peter B. <Peter.LoPiccolo@BroomeCounty.US>
Subject: RE: 2 OF 4 239-2021-122 Dickinson Solar Farm Glenwood and M Subdivision FW: Re: Resending Dickinson Solar Project Submissions

Hi Peter,

Does the project require an FAA Obstruction Study? Do you know the answer at this time? Do you need more information to complete your review and comments? What does the applicant need to do to comply with FAA? I do not find an FAA form or study in the submittal.

Thank you,
Lora Zier
Senior Planner
Broome County Department of
Planning and Economic Development
Telephone: (607) 778-2114
Lora.Zier@BroomeCounty.US

From: LoPiccolo, Peter B. <Peter.LoPiccolo@BroomeCounty.US>
Sent: Tuesday, August 31, 2021 12:33 PM
To: Zier, Lora M. <Lora.Zier@BroomeCounty.US>
Subject: RE: 2 OF 4 239-2021-122 Dickinson Solar Farm Glenwood and M Subdivision FW: Re: Resending Dickinson Solar Project Submissions

Hi Lora,

Unless an FAA Obstruction study is required, we will have issues or comments on this project.

- Peter LoPiccolo

From: Zier, Lora M. <Lora.Zier@BroomeCounty.US>
Sent: Tuesday, August 31, 2021 12:30 PM
To: 'sean.murphy@dot.ny.gov' <sean.murphy@dot.ny.gov>; Gowe, Brenda L. <Brenda.Gowe@BroomeCounty.US>; Lavrinovich, Eduard V. <Eduard.Lavrinovich@BroomeCounty.US>; Boulton, Leslie G. <Leslie.Boulton@BroomeCounty.US>; Laine, Matthew J. <Matthew.Laine@BroomeCounty.US>; Rogers, Chuck M.